

Exhibit A

2009-1076

CALLAWAY GOLF COMPANY,

Plaintiff-Appellee,

v.

ACUSHNET COMPANY,

Defendant-Appellant.

Appeal from the United States District Court for the District of Delaware
in case no. 06-CV-091, Judge Sue L. Robinson.

O R D E R

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

O R D E R

A combined petition for panel rehearing and for rehearing en banc having been filed by the Appellant, and the petition for rehearing, having been referred to the panel that heard the appeal, and thereafter the petition for rehearing en banc having been referred to the circuit judges who are in regular active service,

UPON CONSIDERATION THEREOF, it is

ORDERED that the petition for panel rehearing be, and the same hereby is, DENIED and it is further

ORDERED that the petition for rehearing en banc be, and the same hereby is, DENIED.

The mandate of the court will issue on October 13, 2009.

Circuit Judge Moore did not participate in the vote.

FOR THE COURT,

LB

Jan Horbaly
Clerk

Dated: 10/06/2009

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

cc: Joseph P. Lavelle
Frank E. Scherkenbach

OCT 06 2009

JAN HORBALY
CLERK

CALLAWAY GOLF V ACUSHNET COMPANY, 2009-1076
(DCT - 06-CV-091)